

# APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions on reverse)

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

1. NAME OF APPLICANT(S) MOMMERSTEEG INTERNATIONAL B.V.		2. TEMPORARY DESIGNATION the Netherlands		3. VARIETY NAME CRYSTAL	
4. ADDRESS (Street and No. or R.F.D. No., City, State, and Zip Code) P.O. Box 1 5250 AA VLIJMEN, the NETHERLANDS		5. PHONE (Include area code) 4108-9116		FOR OFFICIAL USE ONLY PVPO NUMBER <b>8300174</b>	
6. GENUS AND SPECIES NAME Festuca longifolia		7. FAMILY NAME (Botanical) GRAMINEAE		FILING DATE 9/26/83 TIME 2:30 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	
8. KIND NAME Grasses (Hard fescue)		9. DATE OF DETERMINATION July 19, 1974		FEES RECEIVED AMOUNT FOR FILING \$ 1,000 DATE 9/26/83 AMOUNT FOR CERTIFICATE \$ 500.00 DATE 7/25/84	
10. IF THE APPLICANT NAMED IS NOT A "PERSON," GIVE FORM OF ORGANIZATION (Corporation, partnership, association, etc.) Corporation				12. DATE OF INCORPORATION 2-26-1973	
11. IF INCORPORATED, GIVE STATE OF INCORPORATION the Netherlands					
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS Mr. Stan Rollin 6802 OREM DRIVE, LAUREL, MD 20707					

14. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED

a. <input checked="" type="checkbox"/> Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)	c. <input checked="" type="checkbox"/> Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)
b. <input checked="" type="checkbox"/> Exhibit B, Novelty Statement	d. <input type="checkbox"/> Exhibit D, Additional Description of the Variety

15. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act.) ☐ Yes (If "Yes," answer items 16 and 17 below) ☒ No

16. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? ☐ Yes ☐ No

17. IF "YES" TO ITEM 16, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED? ☐ Foundation ☐ Registered ☐ Certified

18. DID THE APPLICANT(S) FILE FOR PROTECTION OF THE VARIETY IN THE U.S. OR OTHER COUNTRIES?  
the Netherlands (January 22, 1976) ☒ Yes (If "Yes," give names of countries and dates)  
Federal Republic of Germany (November 29, 1977) ☐ No

19. HAVE RIGHTS BEEN GRANTED IN THE U.S. OR OTHER COUNTRIES?  
The Netherlands (August 6, 1980) ☒ Yes (If "Yes," give names of countries and dates)  
Federal Republic of Germany (March 16, 1981) ☐ No

20. The applicant(s) declare(s) that a viable sample of basic seeds of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.  
The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.  
Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF APPLICANT Mommersteeg International b.v. (J.J. Hintzen)	DATE December 7, 1981
SIGNATURE OF APPLICANT	DATE



## INSTRUCTIONS

**General:** Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Department of Agriculture, Agricultural Marketing Service, Livestock, Meat, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

### Item

- 9 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- 14a Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.
- 14b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 14c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- 14d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 15 If "Yes" is specified (*seed of this variety be sold by variety name only as a class of certified seed*) the applicant may **NOT** reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "No," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
- 16 See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.





Application for Plant Variety Protection Certificate14 A Exhibit A, Origin and Breeding History of the Variety

Genus and Plant Species : *Festuca longifolia*

Variety : CRYSTAL

Genealogy and Breeding Method

In 1970 plants of a number of ecotypes have been collected in Southern-England. In 1970 and 1971 the material was observed in a single spaced plant nursery and a number of plants were harvested, threshed and the seed was seeded in turftrials in the fall of 1971. The harvested plants we cloned in several groups isolated by rye. These synthetics have been harvested in 1972 and seeded in turftrials in 1973. One of the synthetics was Mom Fod 11, based on 5 families. After a small multiplication, seeded in july 1974 and harvested in 1975 the variety was submitted for the first time in january 1976 in the Netherlands. In 1980 the variety was named CRYSTAL.

Reproduction and Multiplication

Seed of the 5 basic families has been dried and stored under dry and cold conditions. If necessary, we harvest first generation seed from single spaced plants derived from the 5 basic families. The next generations in the seed production are: 2. Prebasic Seed (= Breeder's Seed) 3. Basic Seed (= Foundation or Registered Seed) and 4. Certified Seed.

Crystal is a synthetic variety of a cross-fertilizing species. Within this type of varieties there is a certain allowed degree of variance within the properties used for protection. All plants of Crystal, produced in the several generations, are within this type of variance.

Uniformity and Stability

The above mentioned method of maintaining and multiplying a synthetic grass-variety has proven to work very well. Until now we did not have any difficulty concerning uniformity and stability in our own trials, comparing the several generations.

Also the dutch authorities of RIVRO (Variety Research Institute) and the NAK (Certifying Agency) did not have problems with uniformity and stability testing prebasic and basic seed.

The variety Crystal has obtained protection in the Netherlands and in the Federal Republic of Germany. The dutch and german authorities have declared the variety to be distinct, uniform and stable.

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Application for Plant Variety Protection Certificate14 B Exhibit B, Novelty StatementGenus and Species : *Festuca longifolia*Variety : CRYSTAL

Crystal is a rather late heading variety of hard fescue with a darkgreen leafcolor.

The variety most closely resembles Scaldis, but it differs from Scaldis by:

- a). a later heading date (3 days)
- b). a shorter mature plant height (15 cm)
- c). a shorter flagleaf (11 mm)

The following trial results are from Wageningen, the Netherlands (3 reps of 20 plants for every variety every year).

Characteristic	Year	Crystal	Scaldis	LSD 1%
A. Heading date (after march 31)	1977	37	33	3.1 day
	1978	32	28	4.6
	1979	45	44	2.9
	1980	35	33	2.9
	1981	27	22	4.3
B. Mature plant height (in cm)	1977	65	79	4.8
	1978	51	65	4.1
	1979	62	75	4.3
	1980	56	75	6.5
	1981	67	83	5.1
C. Length of flagleaf (in mm)	1977	66	75	10.6
	1978	40	45	7.4
	1979	43	56	8.0
	1980	59	79	11.1
	1981	56	67	8.4

8380174





No.

8300174



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Mommersteeg International, B.V.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *eighteen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (PLANT VARIETY PROTECTION ACT, 1930, 42, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

HARD FESCUE

'Crystal'



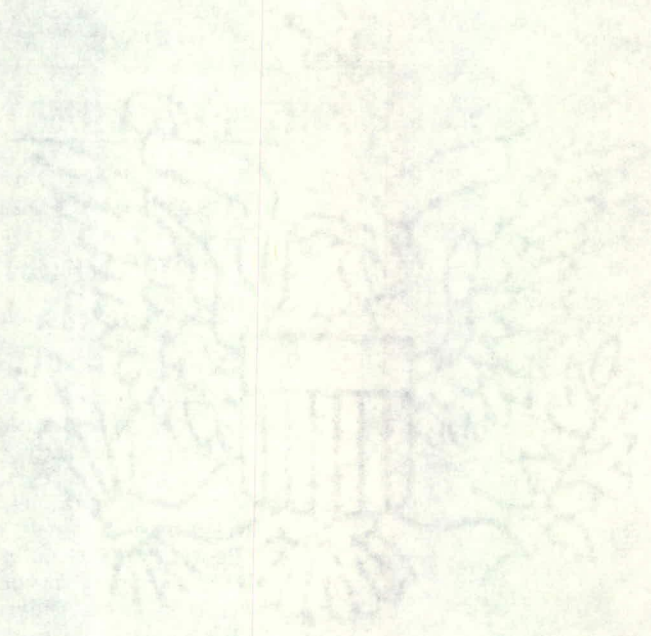
Attest:

*Kenneth A. Kean*  
Commissioner  
Plant Variety Protection Office  
Agricultural Marketing Service

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington this 28th day of September in the year of our Lord one thousand nine hundred and eighty-four.

*John R. Block*  
Secretary of Agriculture





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U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
LIVESTOCK, MEAT, GRAIN & SEED DIVISION  
PLANT VARIETY PROTECTION OFFICE  
BELTSVILLE, MARYLAND 20705

EXHIBIT C  
(Fine Leaved Fescues)

OBJECTIVE DESCRIPTION OF VARIETY  
FINE LEAVED FESCUES  
(*Festuca spp.*)

NAME OF APPLICANT(S) MOMMERSTEEG INTERNATIONAL B.V.	TEMPORARY DESIGNATION	VARIETY NAME CRYSTAL
ADDRESS (Street and No., or R.F.D. No., City, State, and Zip Code) P.O. Box 1 5250 AA VLIJMEN, the Netherlands		FOR OFFICIAL USE ONLY PVPO NUMBER 8300174

Place the appropriate number that describes the varietal character of this variety in the boxes below. Use leading zeroes when necessary (e.g.,    or   ). Characteristics described including numerical measurements, should represent those that are typical for the variety. Measured data should be for SPACED PLANTS. Royal Horticultural Society or any recognized color fan may be used to determine plant colors; designate system used: \_\_\_\_\_

Describe location of test area, conditions and number of plants used: \_\_\_\_\_

Wageningen, the Netherlands. Every year 60 plants in 3 reps. Additional row trials.

1. SPECIES: (With comparison varieties for use below - use varieties within species of application variety)

<input type="text" value="5"/>	1 = <i>F. rubra ssp. commutata</i> (Chewings)	11 = Cascade	12 = Highlight	13 = Jamestown
	2 = <i>F. rubra ssp. litoralis</i> (Creeping Red)	14 = Banner	15 = Barfalla	23 = Merlin
	3 = <i>F. rubra ssp. rubra</i> (Spreading Red)	21 = Dawson	22 = Starlight	33 = Fortress
	4 = <i>F. ovina</i> (Sheep)	24 = Pennlawn	32 = Ruby	
	5 = <i>F. longifolia</i> (Hard)	31 = Boreal	34 = Ensylva	
	6 = <i>F. tenuifolia</i> (Fine-Leaved Sheep)	41 = Covar		
	7 = Other (Specify) <i>F.</i> _____	51 = Durar	52 = Biljart (C-26)	53 = Scaldis
		61 = Panda	62 = Barok	

2. CYTOLOGY:

<input type="text" value="4"/> <input type="text" value="2"/>	Chromosome Number	<input type="text" value="3"/>	Ploidy	1 = diploid	2 = tetraploid	3 = hexaploid
				4 = octoploid		

3. ADAPTATION: (0 = Not Tested; 1 = Not Adapted; 2 = Adapted)

<input type="text" value="2"/>	Northeast	<input type="text" value="0"/>	Southeast	<input type="text" value="2"/>	North Central	<input type="text" value="2"/>	Pacific N.W.	<input type="text"/>	Other (Specify) _____
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4. MATURITY: Date First Headed (panicle emergence) Location(s) of Trail(s) Wageningen, the Netherlands

<input type="text" value="2"/>	Maturity Class:			
	1 = Very Early (Covar)	2 = Early (Highlight)	3 = Medium Early (Boreal, Dawson)	
	4 = Medium Late (Cascade, Ruby)	5 = Late (Jamestown, Agram)	6 = Very Late	
	Date Headed _____			
<input type="text" value="0"/> <input type="text" value="3"/>	Days earlier than _____	<input type="text" value="5"/> <input type="text" value="3"/>	} Comparison Variety	
	Maturity same as _____	<input type="text" value="5"/> <input type="text" value="3"/>		
	Days later than _____	<input type="text" value="5"/> <input type="text" value="3"/>		

5. PLANT HEIGHT: (At maturity; to top of panicle; Average of 10 tallest culms)

<input type="text" value="6"/> <input type="text" value="0"/> <input type="text" value="0"/>	mm height			
<input type="text" value="1"/> <input type="text" value="5"/> <input type="text" value="0"/>	mm shorter than _____	<input type="text" value="5"/> <input type="text" value="3"/>	} Comparison Variety	
	Height same as _____	<input type="text" value="5"/> <input type="text" value="3"/>		
<input type="text" value="0"/> <input type="text" value="3"/>	mm taller than _____	<input type="text" value="5"/> <input type="text" value="3"/>		

6. GROWTH HABIT: (Mature)

<input type="text" value="3"/>	1 = Erect (Ruby)	2 = Semi-erect (Highlight)	3 = Prostrate (Silvana)
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7. RHIZOMES:

<input type="text" value="1"/> <input type="text" value="1"/> <input type="text" value="1"/>	mm Length	<input type="text" value="1"/> <input type="text" value="1"/>	mm Width	<input type="text" value="1"/> <input type="text" value="1"/>	mm Internode length
<input type="text" value="1"/>	1 = Absent (Highlight)	2 = Weakly Creeping (Dawson)	3 = Strongly Creeping (Boreal)		
	4 = Very Strongly Creeping (Fortress)				



15. GIVE VARIETY OR VARIETIES THAT MOST CLOSELY RESEMBLE THE APPLICATION VARIETY. For the following characteristics indicate Degree of Resemblance by placing the column marked, D.R., one of the following numbers:

- 1 = Application variety is less than comparison variety.      2 = Same As  
3 = More than, better, greater, darker, more disease resistant, etc.

CHARACTER	VARIETY	D.R.	CHARACTER	VARIETY	D.R.
Rhizome Length			Growth Habit	SILVANA	2
Leaf Width			Leaf Color	BILJART	3
Panicle Color			Panicle Shape		
Winter Color	BILJART	3	Cold Injury		
Shade Tolerance			Heat		
Drought			Disease*		
			Fusarium nivale	BILJART	3

\* Specify each disease evaluated.

16. ADDITIONAL DESCRIPTION: (Use additional sheets as required)

Describe all characteristics that cannot be adequately described in the form above in Exhibit D. Comparative varieties should be used as may be appropriate, such as for disease. Append all comparative trial and evaluation data, including measured characters, environmental, and disease tests.



Thomas A. Salt, Senior Examiner  
Plant Variety Protection Office USDA-AMS  
NAL Bldg, Room 500  
10301 Baltimore Boulevard  
BELTSVILLE, MARYLAND 20705-2351  
USA

Vlijmen, December 7, 1999

Our ref: m9-49201

**Re: Your letter of November 23, 1999 to Advanta Seeds BV (Change in Ownership and Holder of Plant Variety Protection of Mommersteeg International BV to Advanta Seeds BV)**

Dear Dr. Salt,

Mommersteeg International BV, a subsidiary company of Advanta Seeds BV, is still existing as a trading company in grass seeds, but not as a breeder and maintainer of varieties. All the breeding activities have been taken over by Advanta Seeds BV.

For that reason we want a change in assignment from Mommersteeg to Advanta Seeds BV for the following varieties (still maintained, produced and commercialised):

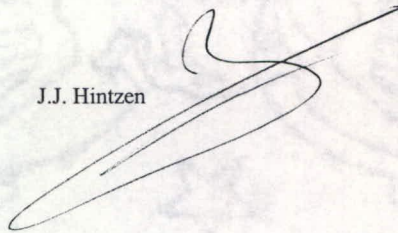
Annual ryegrass	MULTIMO	8200021
	CARAMBA	8200042
Perennial ryegrass	FANTOOM	8400040
	MONDIAL	8900057
Red fescue	VICTOR	8900063
	MOLINDA	9300043
Hard fescue	CRYSTAL	8300174
Kentucky Bluegrass	CYNTHIA	8300017

The remainder of the varieties is not existing anymore or hardly in production.

Yours faithfully,

MOMMERSTEEG INTERNATIONAL BV

J.J. Hintzen



Member of Advanta

Postbus 1, 5250 AA Vlijmen, Holland

Adres: Wolput 72, Vlijmen  
Tel.: 073 - 511 91 16 - Fax: 073 - 511 75 40  
BTW-nr: NL 00 70 54 889 B 07  
Bank: Rabobank International 3000 27 982  
Handelsregister: 16 00 31 25  
E-mail: msg@mommersteeg.nl  
www.mommersteeg.nl



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Thomas A. Salt, Senior Examiner  
Plant Variety Protection Office USDA-AMS  
NAL Bldg, Room 500  
10301 Baltimore Boulevard  
BELTSVILLE, MARYLAND 20705-2351  
USA

Vlijmen, December 7, 1999

Our ref: m9-49202

**Re: Your letter of November 23, 1999 to Advanta Seeds BV (Change in Ownership and Holder of Plant Variety Protection of Mommersteeg International BV to Advanta Seeds BV)**

Dear Dr. Salt,

Enclosed you will find a letter of Mommersteeg International BV, explaining the reason of the change in assignment.

As said also in that letter we like a change in assignment from Mommersteeg International BV to Advanta BV for following varieties:

Annual ryegrass	MULTIMO	8200021
	CARAMBA	8200042
Perennial ryegrass	FANTOOM	8400040
	MONDIAL	8900057
Red fescue	VICTOR	8900063
	MOLINDA	9300043
Hard fescue	CRYSTAL	8300174
Kentucky Bluegrass	CYNTHIA	8300017

We will remit the cost for the change in assignment, a sum of 8 x US\$ 25,- = US\$ 200,- through our US sister company Advanta Seeds Pacific (together with US\$ 25,- for the change of the variety COCKTAIL from VanderHave Grasses to Advanta).

Yours faithfully,

ADVANTA SEEDS BV



A.J.P. van Wijk

J.J. Hintzen

**Encl.: Letter of Mommersteeg International BV**

Advanta Seeds B.V.  
Wolput 72A  
5251 CH VLIJMEN  
The Netherlands

Phone: 31 (0)73 511 91 16  
Fax : 31 (0)73 511 50 35

Mail Address:  
P.O. Box 127  
5250 AC VLIJMEN  
The Netherlands

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Chamber of Commerce No.  
Middelburg 22000154

